

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>1/9/08</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER DISASTER
SITE LITIGATION

X
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: 21 MC 102 (AKH)
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: This order relates to claims against
: VERIZON NEW YORK INC.
: ONLY in:
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: All cases listed in Schedule A
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X

ALVIN K. HELLERSTEIN, U.S.D.J.:

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of these actions, the listed actions be, and the same hereby are discontinued against Verizon New York Inc., only, without prejudice, without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicate a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its request of discontinuance at this time, be discerned in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may

have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

This Stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: December 27, 2007
New York, New York

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SO ORDERED:

1/9/08

Hon Alvin K. Hellerstein
HON ALVIN K. HELLERSTEIN

Schedule A - 21 MC 102 Docket

No.	Plaintiff	Index Number
1	Gora, Edward	06 CV 3302
2	Wolkowicz, Jan	07 CV 1728